

HOUSE BILL REPORT

HB 2090

As Reported by House Committee On:
Health Care

Title: An act relating to the commercial practices of body piercing and body art.

Brief Description: Establishing sterilization and age requirements for body piercing and body art.

Sponsors: Representatives Appleton, Campbell, Kenney, Dickerson, Schual-Berke, Curtis, Walsh, Cody, Clibborn, Haigh and Chase.

Brief History:

Committee Activity:

Health Care: 2/25/05 [DP].

Brief Summary of Bill

- Requires that the Secretary of Health establish sterilization requirements for and age restrictions on body art and body piercing procedures.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: Do pass. Signed by 15 members: Representatives Cody, Chair; Campbell, Vice Chair; Morrell, Vice Chair; Bailey, Ranking Minority Member; Curtis, Assistant Ranking Minority Member; Alexander, Appleton, Clibborn, Condotta, Green, Hinkle, Lantz, Moeller, Schual-Berke and Skinner.

Staff: Chris Blake (786-7392).

Background:

The Secretary of Health (Secretary) establishes requirements for the sterilization of needles and instruments used by electrologists and tattoo artists. These rules address both sterilization procedures and universal precautions for preventing the spread of disease. There are no similar provisions for body piercing.

In Washington it is a misdemeanor to apply a tattoo to a minor under the age of 18. It is a defense to this charge if the tattoo artist makes a reasonable attempt to determine the age of the customer by requiring the production of picture identification.

Summary of Bill:

The Secretary must adopt rules to establish sterilization requirements for needles, sharps, instruments, and jewelry used by those who practice body art and body piercing. In addition, the rules must establish restrictions on body art and body piercing procedures for adults and minors. In developing the sterilization rules, the Secretary must consider the standards of the United States Centers for Disease Control and Prevention, the National Environmental Health Association, and the Association of Professional Piercers. Those who practice body piercing or body art must comply with the Secretary's rules. Failure to comply is a gross misdemeanor and constitutes negligence per se in a civil proceeding.

The term "body art" is defined as physical cosmetic body adornment, including branding and scarification. The term "body piercing" is defined as penetrating the skin to insert an object for cosmetic purposes, but does not include the use of stud and clasp piercing systems to pierce the earlobe. Neither term includes medical procedures performed by a licensed physician or medical practitioner.

Appropriation: None.

Fiscal Note: Requested on February 19, 2005.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: There are no sterilization requirements or health regulations for body art and body piercing in Washington. Respectable body piercing businesses use nationally accepted standards and these should apply to all establishments. Thirty-four states already regulate body piercing.

Testimony Against: None.

Persons Testifying: Troy Amundson, Apocalypse Piercing; and Charlotte Hellar, Lucky Devil Body Piercing.

Persons Signed In To Testify But Not Testifying: None.